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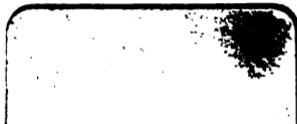
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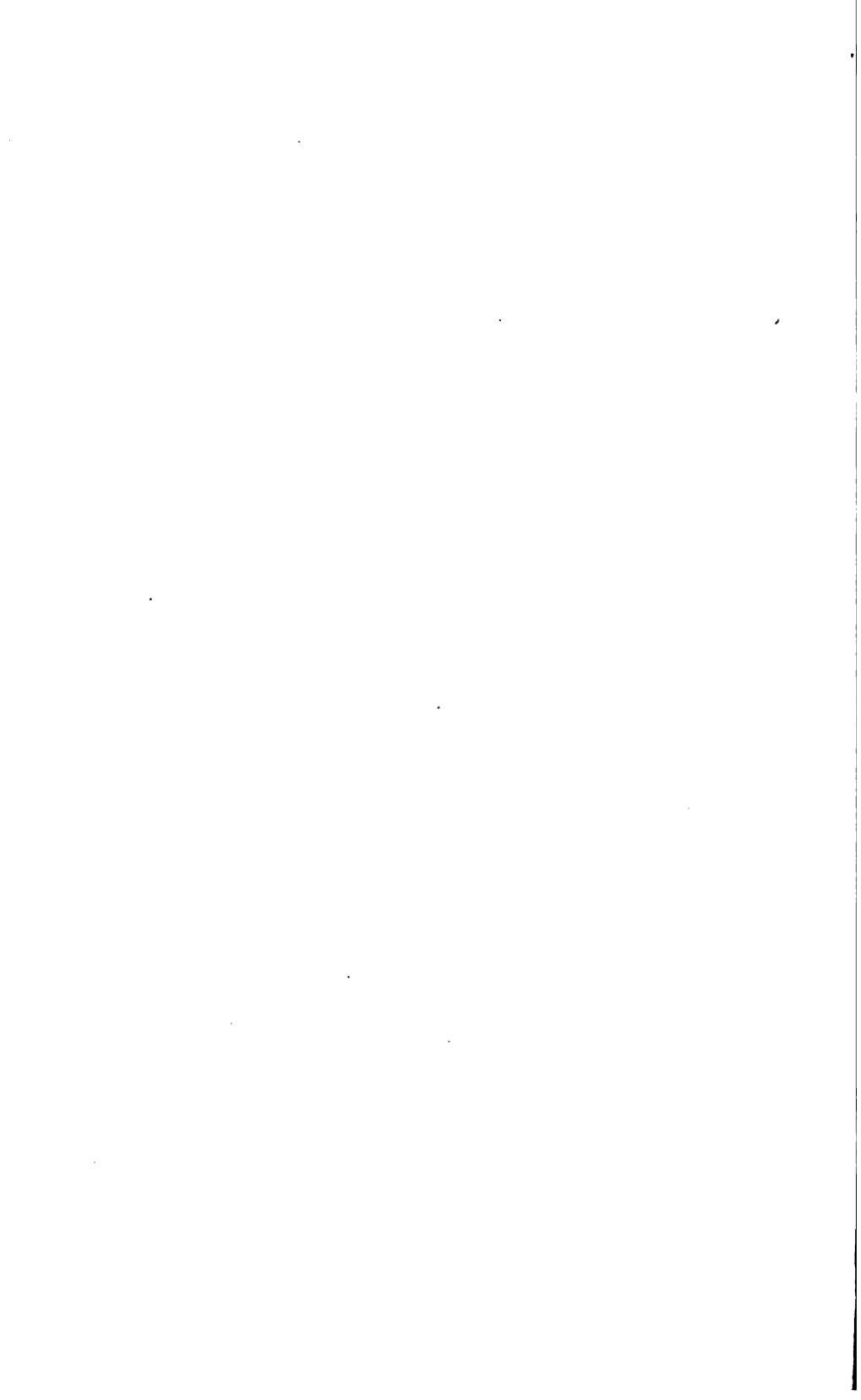


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SPEECH  
OF  
HON. FREDERIC BODINE,  
OF ORANGE,

ON THE

BILL TO AMEND, REVISE AND CONSOLIDATE THE GENERAL  
ACTS RELATING TO PUBLIC INSTRUCTION.

In Assembly, April 2d, 1866.



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## S P E E C H.

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The House in Committee of the Whole.

MR. CHAIRMAN: I had hoped that no member upon this floor would raise the slightest objections to a bill fraught with so much interest to the people of this great State, interests which affect not merely the present time or a few years hence, but interests which reach far down the stream of time and will influence the whole world. Sir, what constitutes a State in the truest and highest acceptation of the term?

"Men, high minded men,  
Men who know their rights, and knowing dare maintain."

No one for a moment will argue that a people can be prosperous unless they are intelligent also; the one goes hand in hand with the other. In proportion as a people of a State become intelligent, in the same proportion they likewise become prosperous and happy. Education ennobles the mind and heart of man, and it is owing to this alone that he is permitted to occupy a place little lower than the angels. Sir, place him where there is little or no opportunity to improve and expand these God-given faculties, and he sinks down on a level with the brute. What gave the ancient nations their renown? What has caused the names of Greece and Rome to be remembered in both song and

story? What has caused the names of Cicero, Demosthenes, Milton and a long list of other names to be revered to this day; their names growing brighter and fairer, as time rolls on, while other States and men enjoying the protection of the same providence, have long, long ago been buried in oblivion? Sir, there can be, there is but one answer to these questions; it was education or the lack of it that caused all this difference. And now shall we as legislators shut our eyes to these truths, and refuse to learn by the experience and examples of others? Shall we who live in this nineteenth century when science is unfolding all her precious treasures, we who profess to be legislating for the best and truest interests of the great commonwealth, the Empire State of this great Union, containing nearly 4,000,000 of human souls and 1,400,000 of suitable school age, refuse to open the school house doors wide so that every child in city, village and hamlet may go in and drink freely from the pure fountains of knowledge. *Shall we, dare we* do this, and then say that we have done our duty? Are we willing to remain behind our sister States in this great work of education? Sir, I hope not; I do not believe that there is a member upon this floor who will consent to thus neglect the interests of those who are to come after us. Sir, why is it that Massachusetts is termed the centre of the universe, not on account of her geographical position, for she lies on the eastern border of our country, her situation geographically does not entitle her to such a position, it is because of her intellectual power. Her educational advantages are such that the greatest, the best opportunities are offered to her children. And, sir, they are invited to come to the fountains of knowledge to drink without money, without price. Her schools are free to *all*, rich and poor, high and low—All her children are permitted to stand on an equal footing

and drink from this ever-flowing stream. This is the reason why the people of the old Bay State are so prosperous; go where you may over this broad world and in its remotest corner you will find a representative from this State, and, sir, when you do find him he will not be asleep; that mind which was trained to know and understand all the sciences in youth is now bringing these powers to advantage, not only to benefit himself, but in their results to benefit the world and achieve for him and his State a name that will be known and honored as wide as the domain of letters. Again, go with me to the westward where the march of empire is taking its way; what do we find here, why, sir, we find the State of Ohio, that within the recollection of some who now hear my voice, was a vast domain inhabited only by the original owners of the soil, the Indian; its broad acres never having been trod by the foot of civilized man; now what do we see, why, sir, we behold a State grown to be the third State in this great Union, with a population a little less than our own, with her institutions of learning laid on foundations so broad and deep that she will soon surpass all her sisters in influence and power. Now, what is the cause of all this prosperity?

Why, I ask, has this State, so lately carved out from the uninhabited territory of our country, surpassed the State of Virginia, one of the first, in fact *the* first settled State of this Union; a State whose soil is unsurpassed in fertility, and whose climate is as genial as any on the globe; a State that has been settled for more than two hundred years, while the State of Ohio has grown to greatness and renown in less than one-third of this time? Whence, I ask, comes all this difference? Sir, it is all summed up in that word "*education.*" While the people of the old dominion fostered a system that kept the *many* in ignorance and allowed the light of knowledge to only the *few*, the State of Ohio provided at an early day

for the education of her children, and in her schoolhouses intelligent teachers taught them to love liberty and to hate oppression.

The voice of the great father of our system of government was not heeded in the immediate land of his birth, but, thanks be to God, his influence and teachings were not circumscribed by State limits, it reached farther than State lines—"his fame was eternal, his residence creation, no people could claim, no country appropriate him;" and if the children who lived under the shadow of his immediate presence refused to listen to the voice of wisdom, the sin was theirs, not his. In his farewell address to the people of this country, he said: "Promote, as objects of primary importance, schools for the dissemination of useful knowledge.". Well did he know that intelligence was the only sure foundation on which to build a free and just government; and had his people, or rather the people of Virginia, heeded these few sentences and put them in practice, they would have been spared the scourge of civil war, which has been for the past five years laying waste their cities and towns and drenching their soil in fraternal blood.

But let us return, for time will not permit to enlarge upon this subject, and I do not desire to trespass upon the patience of this committee. The great importance of the subject must be my only excuse, and when I hear gentlemen who occupy places upon this floor, gentlemen who come here to legislate for the best interests of this great State, object to the provisions of this bill, I cannot pass this subject by in silence.

Now, Sir, what does this bill propose to do? If you will give me your attention for a few moments, I will endeavor, in my feeble way, to explain its object, its end. In the report of the Superintendent of Public Instruction, for the year 1864, I find the following: "By the law of 1851, which happily settled the controversy in this State

as to the taxation of property for the support of schools, the tax for the purpose was made a fixed sum of eight hundred thousand dollars."

While the number of children, and the aggregate cost of their education, was increasing, the State tax remained the same. The increased cost was presented to the rural districts in the form of higher rate bills, and heavier local or district taxation. It will be understood that every fifth year a census of the population of this State is taken, and that the Superintendent of Public Instruction makes an apportionment of two-thirds of all moneys appropriated for the support of schools to the counties in which there is no city; and when a county is composed of city and country, to each separately, according to population, as reported in the next preceding State or United States census. From 1850 to 1855 the aggregate population of the State had increased rapidly, but the increase was confined chiefly to the large cities, while the population of a large majority of the country towns had either remained stationary or had decreased. The effect of this, with a stationary tax, was to decrease correspondingly the apportionment made to the counties composed of these towns, and increase largely that made on the basis of the growing population of the cities. Concurring in the opinion that a State tax of \$800,000 was proper to aid the rural districts, by so much as it diminished district taxation and decreased the sums collected by rate bills, the legislature of 1856 deemed it proper to increase the aggregate of that tax to supply a growing want. It was better to establish a rate by which the tax would keep pace with the wealth and the increase of children and youth to be educated; hence the law of 1856, fixing the State tax for the support of schools at three-fourths of a mill upon every dollar of the property valuation. Every man assessed for \$100 pays annually of this tax *seven and a half cents*; for \$1,000 *seventy-five*

cents. Certainly not an oppressive tax, to the payment of which any man of patriotic feelings and generous sympathies will object, in view of the fact that it is to be expended to educate his own children, and other children with whom his own must be associated politically, if not socially, and to secure to them all alike the blessings of an enlightened and civilized community. The argument for a State tax is grounded upon the fraternal relation and obligation established by the Creator among men, and promulgated in that epitome of all wise conduct the "golden rule," "Whatsoever ye would that others should do unto you, do ye even so unto them."

Such, Mr. Chairman, are the reasons for this law which is now under consideration, and I submit sir, that what I have just read from the report of the worthy Superintendent who has studied carefully for years this great subject, and is more familiar with our common schools and knows more of their wants than any other man in this State can know, ought to satisfy the mind of all candid and honest men upon this principle. Now, what are the amendments proposed in this bill which is now before us. I have already shown this committee that common schools are needed and no one will for a moment doubt its truth. I have also shown from the extracts of the report of the Superintendent of Public Instruction, that a tax upon the whole property of the State is the only just and proper mode of securing equal advantages of education for all, and now it remains for me to prove to you gentlemen, that an increase to this present tax of three-fourths of a mill is needed in order to advance the best interests of education in our State. We find by examination that the taxable property of the state is about \$1,550,000,000, three-fourths of a mill tax upon this sum amounts to about \$1,163,000, this is the present tax for schools. Now this bill provides that there shall be levied upon the taxable property of this State one mill

and a quarter of a mill for the support of common schools, an increase of a half mill upon the taxable property, which will bring the sum of \$1,937,500, by this increase of a half mill tax we get the sum of \$774,500. Now the *rate bill* during the year 1865, amounted to the sum of \$655,158.78. So you see gentlemen that we will have by this increase of tax \$119,341.22 over and above paying the rate bill in our whole State, estimating the amount of such rate bill the same as the year just past; but the rate bill being removed, it is estimated that at least 100,000 children will be added to our schools, and this increase of attendance will about take up the money over the rate bill: It will be observed, then, that the tax is increased only \$119,341.22 in the State; for, as I have already said, the increase of tax that this bill provides for, brings us the sum of \$774,500 over the sum raised by the present law of three-quarters of a mill; but it must also be remembered that the sum collected by rate bill amounts to \$655,158.78, and this sum is all collected from the people of the State, so in reality there is but \$119,341.22 increase upon the people, and this sum will go for the benefit of at least 100,000 children, who would not perhaps see the inside of a school-house if this money be not appropriated. Now let us see for a moment how much this bill is going to increase our taxes. I have already shown by the report of the State Superintendent that three-quarters of a mill amounted to a tax of seven and a half cents on a hundred dollars, and seventy-five cents upon a thousand dollars. By increasing this tax to one and one-quarter mills, as this law proposes to do, every person who has \$100 will pay *twelve and a half cents*, and every one who has \$1000 will pay *one dollar and twenty-five cents*. Now, will any man refuse to bear this little burden for the cause of *education*?

But, Mr. Chairman, I think I hear some lone bachelor,

some married man who has not been blessed by Providence with these little ones, and it may be, perhaps, some old father, whose children have finished their school days, saying, in reply to this, " You are forcing *us* to pay for the education of others. We have no children to educate ; and if we had, we would not ask our neighbors to pay a cent for the benefit of our children ; no, we would pay it ourselves, and therefore we are not inclined to be taxed for the benefit of others." What a narrow and despicable soul is the one that reasons thus ! Not do anything for others ! Who toiled for years, through the most trying difficulties, going from place to place, and finally setting sail upon the waters of an untraversed ocean to discover this glorious land for your benefit ? Who suffered and died in prison for discovering this great western world ? Did COLUMBUS think you possess such a narrow soul as to see nothing beyond self ? No, sir ; he was laboring for the world. Again, during the dark days of the first revolution, did WASHINGTON take into consideration his own ease and comfort ? Did the few thousand noble souls who followed him through those seven long years of suffering, bear all this for *their* benefit ? No, no, my friends, no such mean and narrow thoughts were allowed for one moment to dwell in their bosoms ; their hearts beat for the human race ; they could have borne the oppression of England for a few years longer, and the earth's scenes and conflicts, with them, would have been ended ; for many, very many among that noble band were, according to the course of nature, nearing the tomb when the struggle began.

Again, let me call your attention to another struggle that is fresh in the memory of all. Did the first 75,000 men who rushed to Washington to save the capital of our nation, in the dark days of April, 1861, stop to consider their own ease and security ? Had they looked no further than 'self, doubtless the capital of our nation

would have been surrendered into the hands of the enemy, and to-day we might have been living in a land built upon *caste*, whose foundations were laid in human slavery, instead of a land that is free from the Canadas to the Gulf, and from the Atlantic to the great Pacific. A land, thank God, that is not cursed by the tread of a slave.

Sir, I cannot follow this subject out here, for time will not permit; and has not enough already been said to convince the mind of any candid man, that this world was not made for the benefit of self alone? Are we to shut ourselves up, tortoise-like, in our shells, not heeding the voice of progress that is sounding in our ears; are we willing to remain deaf to the call of humanity; are we willing to adopt the sayings of one in olden times:

“Be not the first by whom the new is tried,  
Nor yet the last to lay the old aside.”

If we are willing to adopt this as our motto then there is an end to all progression, and it is useless to occupy the time of this committee longer upon this subject.

But, sir, I trust that no such a state of things exists in this age, much less in this distinguished body upon this floor, who represent the interests and welfare of the people of this great State. This bill simply provides to do away with the rate bill, and collect the money which is now collected in this way, by a direct tax upon all the property of this State. Who is to lose by this change? who will be benefited? Will the public good be promoted by the change, or will it not? This is the simple question; and here let me endeavor to meet it.

Now, it will not be denied that here and there throughout our rural districts, a few persons owning property will be obliged to pay a little more school tax under certain circumstances, and it will be in this way: The law obliges school to be kept for twenty-eight weeks during

the year. Now, if the trustees desire to keep school for a longer period than this, and the public money will not pay for more than the twenty-eight weeks — or even not for that time, if a good teacher is provided and is paid reasonable wages — under these circumstances it will become necessary to raise a small portion of this money by tax upon the property of the district instead, as is now the case, raise part by rate bill and the remainder by tax ; for there is not hardly a school district within our State, but what has some children attending its school who are unable to pay for their schooling. And this is not all ; the evil of this system of rate bills is yet to be stated.

I venture the assertion that there is not one school district within our state where the schools are not *free*, that there are not more or less children of suitable school age kept from our schools and thus deprived of the advantages of an education. If you desire to know the reason for this state of things, I will tell you. You say that our schools are now open to all, and if a person cannot pay for the education of his children, why they are equally entitled to the benefits of the school and the property in the district must pay for them ; now grant all this and what does it amount to, why simply this, that they are *paupers*, and rather than submit to this humiliating appellation, the children are kept out of school, and in many cases grow up uneducated. There is that pride of self-dependence dwelling in the bosoms of many people, that they will starve rather than beg ; they will keep their children out of school, and thus deprive them of an education, rather than let them go without paying their tuition.

Now this spirit may not be commendable, it is certainly detrimental to the children, and yet after all it is a feeling very difficult for a high and noble-minded person to get rid of. It is hard enough to be poor, and feel its deprivation and disadvantages ; it is still harder, my friends, to

be taunted upon this subject. And I may say here, what every person who has had any experience in this matter knows to be true, that these poor people and their children, are obliged to hear stories like the following, every day.

We have all over our country, in every district of our state, men, no, misers, poor pitiable grumbler, who are continually growling about paying such heavy taxes; when the collector comes around for the school tax, this miserable specimen of man, will commence a long history of his great taxes and finally wind up by saying that John Jones is able to educate his own children, and if he is not, let them stay at home; the children of this grumbler are standing by, they hear all that is said and treasure it up for the day when they shall become angry at the little girl or boy belonging to the Jones family, then comes the sting that cuts worse than a dagger to the heart of the child; in the presence of the whole school these little ones must be told that they have no right here at school, they do not *pay* for their schooling and consequently must stand at one side—my father said that he had to pay a tax the other day for Sam and Mary Jones to keep them at school, another one will say, yes, and my father has to pay part of this too, and so it goes round, until the poor children are forced to seek some place of retreat away from the gay group; perhaps some little girl whose feelings had been touched seeks the retreat of the little sufferers and endeavors to cheer them—like a little angel she is endeavoring to soothe their grief and help them see the bright sunshine which to them is wrapped in dark clouds. These children, with heavy hearts, seek their humble homes when school is dismissed—their story of grief and suffering is told to their parents—what is the result, why, rather than have their children subjected to such treatment, they permit them to remain at home. Indeed, it would be

hard work to persuade them to go to school after such treatment. The school, instead of presenting associations that are desirable and attractive, present to their young minds all that is gloomy and detestable, and thus in early life, just as the feelings are beginning to expand and grow they are nipped in the bud as it were by the frost of coldness and disappointment, and this early blast will seriously affect the whole life, let it be long or short. You may say that this picture is overdrawn, I say, gentlemen, it is not, and the sad experience of thousands will bear me out in my assertion ; this is not imagination, but I assure you that it has been part of my own sad experience, I know of what I speak.

"Oh, wo to those who trample on the mind,  
 That deathless thing ! They know not what they do,  
 Nor what they deal with. Man, perchance, may bind  
 The flower his step hath bruised ; or light anew  
 The torch he quenches ; or to music wind  
 Again the lyre-string from his touch that flew ;  
 But for the soul, oh tremble and beware  
 To lay rude hands upon God's mysteries there."

Now, it is all very true, that there are parents in every school district who spend more money for intoxicating liquor than would be needed to pay for their children's education, but this is no reason why these little ones should be deprived of the right to the school. I know that you may still insist that no one is deprived the privilege of attending school under our present law—this is all true so far as *right* may be concerned, but they have this right under all these difficulties that I have just enumerated.

Sir, it has been estimated by careful investigation, that by abolishing the rate bill 100,000 children would be found in the school rooms in our rural districts, who are now at home from reasons that I have stated. All over this broad State in every district will be found the children of the *poor*. Yes poor, but taught by their humble

parents to be noble minded and true. They have feelings as tender as other children of more worldly possessions, the blood that courses through their viens is as noble as that which circulates around the heart of the prince, and if their young minds be properly trained now, the time may come when they shall have reached a position that the crowned heads may esteem it a favor to be permitted to honor.

Sir, it is economy to open our doors of education and let all come in free. All will admit that crime and ignorance go hand in hand, and this being admitted, will it be good policy to let 100,000 children grow up in our State in ignorance? Most certainly not, for if we do then we shall be forced to support a large number of them in our jails and penitentiaries, thereby costing us more money, and besides all this, they will be unfitted to do any good for themselves or be any benefit to the world. Sir, economy is a sound principle by which to be governed, it works as well with nations as with individuals, but Sir, there are different ways of considering economy, that is a *false* economy that would refuse to grant money to educate the children of our country, it would be an act of *suicide* to think of such a thing for a moment. Let us look at this subject calmly, honestly, like men, liberal minded men who have the whole welfare of the people of this great State at heart and not the selfish interests of the few. Sir, I have voted against every appropriation thus far, that was intended to take a dollar from the treasury of this State. I do not believe that it is the proper time now, when our people are so burdened with taxation, to appropriate money to build railroads or canals; but while I am opposed to giving State aid to these projects, I believe it is our duty to increase our school tax and thus make our schools free. Sir, this is a question that will not admit of parsimoniousness. If we consent to dwarf these fountains of light

and knowledge, we may expect to see every other interest in our State dwindle in like proportion. Are you willing that the Empire State should longer remain behind her sister States in learning? I think I hear you answer in tones of thunder *no!* We will no longer dream over this great question, but will now settle it here and at once. The time has fully arrived for the great change, from every part of this State have come bills and petitions to the committee of which I have the honor to be a member, praying for an act to incorporate a free school. Why then will we longer delay, why hesitate to pass a bill that will do nobody harm and untold thousands so much good. Sir, let us be men equal to the times in which we live and resolve to make this bill a law. It is a fitting time to inaugurate such a system. We are standing at the threshold of a new era in our nation's history. The thunder of cannon, the mighty tread of contending armies, the rattle of musketry, the wail of the wounded and dying, have all ceased. The smoke of the battle has cleared away and the beautiful rainbow of peace now spans our favored land. The chains have been stricken from the limbs of the slave, and the old *starry banner* of our fathers waves in the breeze over a nation where *all* men are equal before the law. Standing as we do upon the line which divides the sorrowful *past* from the bright and promising *future*, let us inaugurate a system of education that will not only benefit the present time but the future as well. Let the great State of New York inscribe upon her educational banner and unfurl it to the breeze her noble motto "*Excelsior!*"





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